

## Message Text

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ORIGIN L-03

INFO OCT-01 ISO-00 EB-07 COME-00 JUSE-00 AF-08 ARA-06

EA-07 EUR-12 NEA-10 SIG-01 CIAE-00 DODE-00 PM-04 H-02

INR-07 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

USIA-06 IO-13 TRSE-00 /111 R

DRAFTED BY L:MBFELDMAN

APPROVED BY L:MLEIGH

AF - MR. BLAKE

ARA - MR. GRUNWALD

EA - MR. A. GEBER

EUR - MR. LOWENSTEIN

NEA - MISS GRIFFIN

JUSTICE - MARK RICHARD

COMMERCE - J. T. SMITH (SUB.)

EB - MRS. CONSTABLE

----- 008813

P 192255Z APR 76

FM SECSTATE WASHDC

TO ALL DIPLOMATIC POSTS PRIORITY

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E.O. 11652: N/A

TAGS: PGOV, PFOR

SUBJECT: CABINET TASK FORCE ON QUESTIONABLE PAYMENTS

ABROAD: FOREIGN LAWS ON QUESTIONABLE PAYMENTS

REF: STATE 258169

1. ON MARCH 31 THE PRESIDENT ESTABLISHED A CABINET TASK FORCE, CHAIRED BY THE SECRETARY OF COMMERCE, TO EXAMINE THE POLICY ASPECTS OF RECENT DISCLOSURES OF QUESTIONABLE PAYMENTS  
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PAYMENTS TO FOREIGN AGENTS AND OFFICIALS BY U.S. FIRMS.

THE TASK FORCE HAS BEGUN ITS REVIEW OF THE INTERNATIONAL AND DOMESTIC STEPS PRESENTLY BEING TAKEN BY THE USG AND ALTERNATIVES FOR POSSIBLE NEW INITIATIVES. THE TASK FORCE HAS DETERMINED THAT IN ORDER TO DEFINE AN APPROPRIATE INTERNATIONAL ACTION PROGRAM FOR THE USG, AND TO CONSIDER THE IMPLICATIONS OF THAT PROGRAM FOR POSSIBLE DOMESTIC ACTION, IT IS NECESSARY TO HAVE AT LEAST A GENERAL UNDERSTANDING OF THE LEGAL FRAMEWORK IN FOREIGN COUNTRIES ASAP.

2. ACCORDINGLY, YOU ARE REQUESTED TO PROVIDE A TELEGRAPHIC RESPONSE TO THE FOLLOWING QUESTIONS NO LATER THAN MAY 1.

A. DOES HOST COUNTRY HAVE SPECIFIC OR GENERAL PENAL LEGISLATION PUNISHING THE OFFER, SOLICITATION, GIVING OR RECEIPT OF MONIES OR OTHER THINGS OF VALUE TO INFLUENCE OR ATTEMPT TO INFLUENCE OFFICIAL ACTIONS? (THIS QUESTION IS STATED IN GENERAL TERMS TO AVOID THE NECESSITY OF DISTINGUISHING BETWEEN BRIBERY, EXTORTION AND OTHER POSSIBLE DEFINED OFFENSES.)

B. DOES HOST COUNTRY HAVE ANY LAWS OR REGULATIONS REQUIRING DISCLOSURE OF PAYMENTS MADE TO OR FOR THE BENEFIT OF GOVERNMENT OFFICIALS?

C. DOES HOST COUNTRY HAVE ANY LAWS OR REGULATIONS GOVERNING THE INVOLVEMENT OF AGENTS IN SALES OR INVESTMENT TRANSACTIONS WITH HOST GOVERNMENT?

D. DOES HOST COUNTRY HAVE LEGISLATION PROHIBITING OR RESTRICTING POLITICAL CONTRIBUTIONS BY INDIVIDUALS OR CORPORATIONS?

E. DOES HOST COUNTRY HAVE ANY LAWS OR REGULATIONS REQUIRING DISCLOSURE OF POLITICAL CONTRIBUTIONS BY INDIVIDUALS OR CORPORATIONS?

F. DOES HOST COUNTRY HAVE ANY LAWS OR REGULATIONS PROHIBITING THE OFFER, SOLICITATION, PAYMENT OR RECEIPT OF KICKBACKS OR OTHER UNDISCLOSED PAYMENTS OR COMMISSIONS LIMITED OFFICIAL USE

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TO INFLUENCE THE CORPORATE DECISION-MAKING PROCESS IN CONNECTION WITH COMMERCIAL TRANSACTIONS NOT INVOLVING GOVERNMENT OFFICIALS OR AGENCIES. (RESPONSE TO THIS PARTICULAR QUESTION SHOULD NOT BE ALLOWED TO DELAY RESPONSE TO OTHER QUESTIONS BEYOND MAY 1.)

3. DEPARTMENT WOULD APPRECIATE "YES" OR "NO" ANSWERS TO THE ABOVE QUESTIONS AMPLIFIED BY SUCH SHORT COMMENT AS POST

BELIEVES NECESSARY TO MAKE RESPONSE MEANINGFUL. WE WOULD ALSO LIKE YOU TO PROVIDE BRIEF SUMMARY OF PERTINENT LEGISLATION IN SUBSEQUENT PARAGRAPHS OF SAME MESSAGE. MESSAGE SHOULD BE SLUGGED FOR L/PM ACTION. FULL TEXT OF RELEVANT LAWS SHOULD BE POUCHED TO L/PM.

4. THOSE POSTS WHICH HAVE ALREADY REPLIED TO QUESTION PARA. 6 REFTEL SHOULD NEVERTHELESS ANSWER ALL QUESTIONS PRESENTED ABOVE. HOWEVER, THERE IS NO NEED TO POUCH FURTHER COPIES OF LAWS ALREADY TRANSMITTED TO DEPARTMENT. MERELY CITE PERTINENT AIRGRAM. THOSE POSTS WHICH HAVE NOT YET ANSWERED REFTEL SHOULD DISREGARD IT. ROBINSON

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## Message Attributes

**Automatic Decaptoning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** CABINET, BRIBERY, COMMITTEES, BUSINESS FIRMS, FOREIGN INVESTMENTS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 19 APR 1976  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** n/a  
**Disposition Approved on Date:**  
**Disposition Authority:** n/a  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
**Disposition Date:** 01 JAN 1960  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1976STATE094647  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** MBFELDMAN  
**Enclosure:** DECLASSIFIED PER 8/13/79 MEMO FROM L/EB - FRANK WILLIS  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D760148-0496  
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**Office:** ORIGIN L  
**Original Classification:** UNCLASSIFIED  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
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**Page Count:** 3  
**Previous Channel Indicators:** n/a  
**Previous Classification:** n/a  
**Previous Handling Restrictions:** n/a  
**Reference:** 75 STATE 258169  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** oatisa0  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 09 JUL 2004  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <09 JUL 2004 by SilvaL0>; APPROVED <20 SEP 2004 by oatisa0>  
**Review Markings:**  

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
04 MAY 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** CABINET TASK FORCE ON QUESTIONABLE PAYMENTS ABROAD: FOREIGN LAWS ON QUESTIONABLE PAYMENTS  
**TAGS:** PGOV, PFOR, EINV, US, XX  
**To:** ALL POSTS  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006